Compilation of Public Comments
Calcasieu River Tributaries, Ouachita River, Boeuf River, Tributaries to Bayou D'Arbonne
TMDLs for Biochemical Oxygen Demand

Commenter	Date received	Waterbody Name	Summary of comments	Summary of LDEQ response
William Richardson, LSU AgCenter	6/02	Boeuf River	The data collected on this stream was during summer 2000 (third year of drought in the region). The survey team considers this stream segment to be more like a long narrow lake than a flowing stream because of extensive stream modifications that reduced flow rates to immeasurable amounts in many areas. The incorrect model was used for a stream of this type. The loading reductions recommended are questionable based on the calculations. We recommend that the stream be resurveyed after a period of normal rainfall.	The LAQUAL model was particularly suitable for this waterbody, and any confusion of this in the original report has been corrected in the revised report. Several of LDEQ's normal modeling practices were adjusted since Boeuf River is atypical of Louisiana waters. The basis for the recommended 3.5mg/L for DO was based on the phased-approach model, therefore, there is no basis for further lowering the criterion. LDEQ will continue to pursue revisions to the water quality standards as needed
		Ouachita River	Most of the length of this waterbody is in Arkansas which is responsible for any headwater flow loadings reduction. The land surface in this area is wetlands, forest, and brush. Only 14.8% of the surface is in agricultural production, and 1.1% is urban area. Much of loadings are natural in origin, so it is difficult to conceive an achievement of 20% loading reduction.	LDEQ understands your concern about the achievability of the large reductions. LDEQ will continue to work with the LSU AgCenter and the Dept. of Agriculture and Forestry, NRCS, and the other organizations in developing implementation plans for these watersheds, using the TMDLs as a basis for targeting implementation of management measures and educational activities. Additional monitoring is planned to determine in-stream oxygen demand in selected waterbodies draining watersheds of various land uses. Such data will improve the accuracy of the models.

		Tributaries to Bayou D'Arbonne	Agriculture is a small percentage of the surface area, with forest land coverage occupying most. The TMDL is based on a DO of 5mg/L, but the reduction of the DO standard in that area to 3mg/L has been approved. Because Middle Fork Bayou D'Arbonne is a reference stream, it should represent the best water quality for that area. However, the TMDL calls for a 40% reduction in natural nonpoint loadings and a 100% reduction in man-made nonpoint loadings.	Same as above.
		Calcasieu Estuary	Two of these subsegments are listed as naturally dystrophic. This indicates that we are being asked to improve the subsegments beyond their natural state, not return them to a natural condition. We recommend that the DO standards, winter and summer, for these streams be revisited in a realistic manner and be set in accordance with the terrain, flow patterns, existing hydro modifications, and tidal influences.	LDEQ will continue to pursue revisions to the standards as needed, especially the DO standard for certain classifications of waterbodies. Additional surveys will be conducted as needed to support proposed revisions to the water quality standards.

Jeffrey Thomas, Earthjustice Legal Defense Fund	6/14/02	Bayou D'Arbonne Tributaries	The wasteload allocations (WLAs) in these TMDLs are not set at levels necessary to achieve standards, or even to levels to reduce the impairment as much as possible. This is a violation of the Clean Water Act (CWA). Reliance in the TMDL is made on reductions to nonpoint sources in the load allocations (LAs), without any "reasonable assurances" the LAs will be achieved. The TMDL dismissed further reductions by the segment's point sources, stating that no more reductions from them are needed and that they have little impact on the main stem of the waterbody. Assuming that large seasonal reductions from manmade nonpoint sources are going to be made, while also presuming that current reductions in the process of modernizing will suffice are invalid assumptions for establishment of a TMDL.	These TMDLs do include all of the required elements as prescribed by the CWA and the federal regulations governing TMDLs. All of LDEQ's TMDLs are established to meet the water quality criteria for the modeled waterbodies, which includes these TMDLs. The TMDLs include both LAs and WLAs. The models showed that the point source loading in these areas is minimal, and there is a large nonpoint source load (natural and anthropogenic). The models indicate the reduction in nonpoint source pollutant loading is necessary to achieve water quality standards. Further reductions in point source loading alone will not be sufficient. LDEQ has established policies and procedures to ensure that all TMDLs are developed in accordance with the regulatory requirements of Section 303(d) of the CWA.
		Bayou D'Arbonne Tributaries	The WLA assumes a 95% reduction of manmade nonpoint sources for summer months and 85% for winter months with no indication of how or when. There is a reference to best management practices (BMPs), but those in place in that area already have not resulted in an attainment of standards or any appreciable reduction.	Implementation of the approved TMDLs will be through the LPDES permitting program and the nonpoint source management program. A number of demonstration and education projects have already been conducted in the Ouachita River Basin. Further implementation of BMPs throughout these watersheds is planned and has been funded by EPA. The reasonable assurances that LDEQ can provide are that EPA has awarded 319 grant funds to Louisiana for the implementation of BMPs, and grant funds have been dedicated to projects in the Ouachita River Basin.

		Bayou D'Arbonne Tributaries	In Corney Bayou massive seasonal reductions from manmade nonpoint sources are assumed. There is again no indication of how or when they would be achieved. The TMDL again states only that BMPs will be employed in this effort and offers little to no details. The only point source discussed (Town of Junction City) is not given a WLA based on desktop modeling.	Same as above.
		Middle Fork Bayou D'Arbonne	Disagree with reducing the seasonal DO standards from 5mg/L to 3mg/L. Reducing standards does not meet the purpose of protection and therefore should be undertaken only in extraordinary situations. Also, natural conditions are not necessarily the sole cause of non-attainment of standards on this segment. Specifically, the use of this standard is premature given that it has not yet been promulgated by LDEQ and thus not subject to necessary public comment and scrutiny.	The revised seasonal criteria were promulgated in March, 2002. This revision to the standard for DO was supported by a use attainability analysis (UAA), which was approved by EPA prior to promulgation by the State. The promulgation process included public review and comment and a public hearing.